

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S. COMMODITY FUTURES TRADING)
COMMISSION,)
Plaintiff,)

v.)

HARBOR LIGHT ASSET MANAGEMENT, LLC,)
and MICHAEL ANTHONY JENKINS,)
Defendants.)

JUDGMENT IN DEFAULT
CIVIL CASE NO. 5:12-CV-758-F

Decision by Court.

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows:

An Order of Honorable James C. Fox, Senior United States District Judge, having been filed on January 23, 2014(the "Order"), granting Plaintiffs Motion for Entry of Default Judgment; permanently restraining, enjoining, and prohibiting Defendants as set forth in the Order; binding the injunctive provisions of the Order upon Defendants Harbor Light Asset Management, LLC ("HLAM") and Michael Anthony Jenkins ("Jenkins"), and any person who is acting in the capacity of agent, employee, servant or attorney of Defendants HLAM and/or Jenkins, and any person acting in active concert or participation with Defendants HLAM and/or Jenkins, who receives actual notice of this Order by personal service or otherwise; directing that Defendants shall pay and be jointly and severally liable for restitution to defrauded investors in the amount of one-million three-hundred one thousand four-hundred six dollars and sixty-cents (\$1,301.406.60) (the "Restitution Obligation"), plus pre-judgment interest and post judgment interest on the Restitution Obligation, with pre-judgment interest to be paid at the then prevailing underpayment

rate established by the Internal Revenue Service pursuant to 26 U.S.C. § 6621, and post-judgment interest on the Restitution Obligation to accrue beginning on the date of entry of the Order and will be calculated by the Treasury Bill rate prevailing on the date of entry of the Order pursuant to 28 U.S.C. § 1961; and all Restitution Obligation payments and any corresponding interest awards will be immediately due and owing; and directing that Defendants shall pay and be jointly and severally liable for a civil monetary penalty in the amount of three-million nine-hundred four thousand two-hundred nineteen dollars and eighty-cents (\$3,904,219.80) (the “CMP Obligation”), plus post judgment interest accruing on the CMP Obligation beginning on the date of entry of the Order and calculated using the Treasury Bill rate prevailing on the date of entry of the Order pursuant to 28 U.S.C. § 1961, and that payment shall be made pursuant to the Order; retaining jurisdiction of this action to ensure compliance with the Order and for all other purposes related to this action, including any application by Defendants to modify or seek relief from the terms of the Order; and directing the Clerk of Court to enter final judgment against Defendants HLAM and Jenkins, it is

ORDERED AND ADJUDGED that Plaintiff’s Motion for Entry of Default Judgment is granted; that Defendants are permanently restrained, enjoined, and prohibited as set forth in the Order; that the injunctive provisions of the Order are binding upon Defendants HLAM and Jenkins, and any person who is acting in the capacity of agent, employee, servant or attorney of Defendants HLAM and/or Jenkins, and any person acting in active concert or participation with Defendants HLAM and/or Jenkins, who receives actual notice of this Order by personal service or otherwise; that Defendants shall pay and be jointly and severally liable for restitution to defrauded investors in the amount of one-million three-hundred one thousand four-hundred six dollars and sixty-cents (\$1,301,406.60), plus pre-judgment interest and post judgment interest on

the Restitution Obligation, with pre-judgment interest to be paid at the then prevailing underpayment rate established by the Internal Revenue Service pursuant to 26 U.S.C. § 6621, and post-judgment interest on the Restitution Obligation to accrue beginning on the date of entry of the Order and will be calculated by the Treasury Bill rate prevailing on the date of entry of the Order pursuant to 28 U.S.C. § 1961; and all Restitution Obligation payments and any corresponding interest awards will be immediately due and owing; and directing that Defendants shall pay and be jointly and severally liable for a civil monetary penalty in the amount of three-million nine-hundred four thousand two-hundred nineteen dollars and eighty-cents (\$3,904,219.80) , plus post judgment interest accruing on the CMP Obligation beginning on the date of entry of the Order and determined using the Treasury Bill rate prevailing on the date of entry of the Order pursuant to 28 U.S.C. § 1961; retaining jurisdiction of this action to ensure compliance with the Order and for all other purposes related to this action, including any application by Defendants to modify or seek relief from the terms of the Order.

This Judgment Filed and Entered on February 5, 2014, and Copies To:

Manal M. Sultan (via CM/ECF Notice of Electronic Filing)
Nathan B. Ploener (via CM/ECF Notice of Electronic Filing)
Romeu-Matta Xavier (via CM/ECF Notice of Electronic Filing)

JULIE A. RICHARDS
CLERK OF COURT

By: /s/ Susan K. Edwards

Susan K. Edwards, Deputy Clerk